

S2396 SAT-MOD-20110428-00081 IB2011001238
Intelsat License LLC
INTELSAT 709

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File Number: SAT-MOD-20110428-00081



*with conditions

File # SAT-MOD-20110428-00081

Call Sign S2396 Grant Date 07/27/11
(or other identifier)

Term Dates
From 07/27/11 To: 07/18/16

Approved by OMB
3060-0678

Approved: Stephen J. Duall

Chief, Satellite Policy Branch

FCC APPLICATION FOR SPACE AND EARTH STATION:MOD OR AMD - MAIN FORM

FCC 312 MAIN FORM FOR OFFICIAL USE ONLY

APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:
Modification to Relocate and Operate Intelsat 709 at 72.10 E.L. (S2396)

1-8. Legal Name of Applicant

Name:	Intelsat License LLC	Phone Number:	202-944-7848
DBA Name:		Fax Number:	202-944-7870
Street:	c/o Intelsat Corporation	E-Mail:	susan.crandall@intelsat.com
	3400 International Drive, N.W.		
City:	Washington	State:	DC
Country:	USA	Zipcode:	20008 -3006
Attention:	Susan H. Crandall		

Attachment to Grant
Application of Intelsat License LLC
IBFS File No. SAT-MOD-20110428-00081
Call Sign: S2396
July 27, 2011

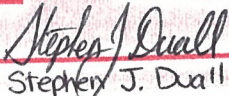
The application of Intelsat License LLC (Intelsat) to modify the authority for its Intelsat 709 space station, IBFS File No. SAT-MOD-20110428-00081, is GRANTED. Accordingly, Intelsat is granted authority to operate the communications payload on Intelsat 709 space station (Call Sign S2396) to provide Fixed-Satellite Service at the 72.1° E.L. orbital location using the following frequency bands: 3700-4200 MHz (space-to-Earth), 5925-6425 MHz (Earth-to-space), 10.95-11.20 GHz, 11.45-11.70 GHz, and 12.50-12.75 GHz (space-to-Earth), and 14.0-14.5 MHz (Earth-to-space).¹ Additionally, Intelsat is authorized to conduct Telemetry, Tracking, and Telecommand (TT&C) operations necessary to maintain Intelsat 709 at the 72.1° E.L. orbital location using the following center frequencies: 6173.7 MHz, 6176.3 MHz (left-hand circular polarization/Earth-to-space); 3947.5 MHz, 3948.0 MHz, 3952.5 MHz, and 3952.0 MHz (right-hand circular polarization/space-to-Earth). This authorization shall be in accordance with the technical specifications set forth in Intelsat's application, Federal Communications Commission (Commission) rules, and is subject to the following conditions:

1. Intelsat shall prepare the necessary information, as may be required, for submission to the International Telecommunication Union (ITU) to initiate and complete the advance publication, international coordination, due diligence, and notification process of this space station, in accordance with the ITU Radio Regulations. Intelsat shall be held responsible for all cost recovery fees associated with these ITU filings. No protection from interference caused by radio stations authorized by other Administrations is guaranteed unless coordination and notification procedures are timely completed or, with respect to individual Administrations, coordination agreements are successfully completed. Any radio station authorization for which coordination has not been completed may be subject to additional terms and conditions as required to effect coordination of the frequency assignments with other Administrations. 47 C.F.R. § 25.111(b).
2. Intelsat shall operate Intelsat 709 at the 72.1° E.L. orbital location in accordance with any existing coordination agreements for this location.
3. In connection with the provision of service in any particular country, Intelsat is obliged to comply with the applicable laws, regulations, rules, and licensing procedures of that country.
4. While at the 72.1° E.L. orbital location, Intelsat shall maintain the Intelsat 709 space station with an east/west longitudinal station-keeping tolerance of +/- 0.05 degrees.
5. Grant of this authorization is based on Intelsat's representation that it will dispose of the Intelsat 709 spacecraft at end of life to a minimum altitude of 150 kilometers (perigee) above the geostationary arc, that it has reserved 20.42 kilograms of fuel for this purpose, and that fuel gauging uncertainty has been and will be taken into account in these calculations, using the methods set forth in Intelsat's application.

¹ Intelsat was granted special temporary authority, for a period of 30 days, to conduct TT&C operations necessary to commence drifting the Intelsat 709 space station to the 72.1° E.L. orbital location. *See* IBFS File No. SAT-STA-20110512-00089 (granted May 25, 2011). Intelsat's request for special temporary authority to operate the communications payload on Intelsat 709 once the space station arrived at the 72.1° E.L. orbital location was dismissed without prejudice, since Intelsat stated that Intelsat 709 was not expected to arrive at 72.1° E.L. until mid-July 2011, which was outside of the requested 30-day STA period. *Id.* Intelsat was subsequently granted special temporary authority, for a period of 180 days, to conduct operations of both the communications and TT&C payloads. *See* SAT-STA-20110316-00055 (granted June 15, 2011).

Attachment to Grant
Application of Intelsat License LLC
IBFS File No. SAT-MOD-20110428-00081
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6. Intelsat's request that the Part 25 technical waivers previously granted to the Intelsat 709 space station, Sections 25.202(g), 25.210(a)(1), 25.210(a)(3), 25.210(i) and 25.211(a) of the Commission's rules, 47 C.F.R. §§ Sections 25.202(g), 25.210(a)(1), 25.210(a)(3), 25.210(i), and 25.211(a), continue to apply to operations at the 72.1° E.L. orbital location, is granted. See Intelsat LLC, Memorandum Opinion and Order, 15 FCC Rcd 15460 (2000), recon. denied, 15 FCC Rcd 25234 (2000).
7. Intelsat's use of the 10.95-11.2 GHz and 11.45-11.7 GHz bands is subject to footnote US211 to the United States Table of Frequency Allocations, 47 C.F.R. § 2.106, US211, which urges applicants for airborne or space station assignments to take all practicable steps to protect radio astronomy observations in the adjacent bands from harmful interference, consistent with footnote US74.
8. Intelsat's operation of the Intelsat 709 space station in the 10.95-11.2 GHz and 11.45-11.7 GHz bands is limited to international operations in accordance with footnote NG 104 to the United States Table of Frequency Allocations, 47 C.F.R. § 2.106, NG 104, and footnote 2 of Section 25.202(a)(1) of the Commission's rules, 47 C.F.R. § 25.202(a)(1).
9. Use of the 12.50-12.75 GHz frequency bands is not permitted for Fixed-Satellite Service in the space-to-Earth direction in Region 2.
10. This grant is without prejudice (1) to any decision with respect to any replacement expectancy at the 72.1° E.L. orbital location; or (2) any action on the Petition for Specific Authority Under Section 25.161(c) filed by PanAmSat Licensee Corp. on April 5, 2010, to retain authority to use C- and Ku-band frequencies at the nominal 72° E.L. orbital location (IBFS File No. SAT-MS-20100405-00117).
11. Nothing in this authorization extends the license term for this space station, Call Sign S2396, which expires on July 18, 2016.
12. Intelsat is afforded thirty days from the date of release of this grant and authorization to decline this authorization as conditioned. Failure to respond within this period will constitute formal acceptance of the authorization as conditioned.
13. This action is issued pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective immediately. Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of the public notice indicating that this action was taken.

 GRANTED* International Bureau *with conditions	File # SAT-MOD-20110428-00081
	Call Sign S2396 Grant Date 07/27/11
	(or other identifier)
	Term Dates From 07/27/11 To: 07/18/16
	Approved:  Stephen J. Duall Chief, Satellite Policy Branch

9-16. Name of Contact Representative

Name:	Jennifer D. Hindin	Phone Number:	202-719-4975
Company:	Wiley Rein LLP	Fax Number:	202-719-7049
Street:	1776 K Street, NW	E-Mail:	jhindin@wileyrein.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20006-
Attention:		Relationship:	Legal Counsel

CLASSIFICATION OF FILING

17. Choose the button next to the classification that applies to this filing for both questions a. and b. Choose only one for 17a and only one for 17b.

- ☐ a1. Earth Station
- ☒ a2. Space Station

- (N/A) b1. Application for License of New Station
- (N/A) b2. Application for Registration of New Domestic Receive-Only Station
- ☐ b3. Amendment to a Pending Application
- ☒ b4. Modification of License or Registration
- b5. Assignment of License or Registration
- b6. Transfer of Control of License or Registration
- ☐ b7. Notification of Minor Modification
- (N/A) b8. Application for License of New Receive-Only Station Using Non-U.S. Licensed Satellite
- (N/A) b9. Letter of Intent to Use Non-U.S. Licensed Satellite to Provide Service in the United States
- (N/A) b10. Other (Please specify)
- (N/A) b11. Application for Earth Station to Access a Non-U.S. satellite Not Currently Authorized to Provide the Proposed Service in the Proposed Frequencies in the United States
- (N/A) b12. Application for Database Entry
- ☐ b13. Amendment to a Pending Database Entry Application
- ☐ b14. Modification of Database Entry

17c. Is a fee submitted with this application? ☒ If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114). ☐ Governmental Entity ☐ Noncommercial educational licensee ☐ Other (please explain):	
17d. Fee Classification BFY – Space Station Modification (Geostationary)	
18. If this filing is in reference to an existing station, enter: (a) Call sign of station: S2396	19. If this filing is an amendment to a pending application enter both fields, if this filing is a modification please enter only the file number: (a) Date pending application was filed: (b) File number: SATMOD2009110600117

TYPE OF SERVICE

20. NATURE OF SERVICE: This filing is for an authorization to provide or use the following type(s) of service(s): Select all that apply:

- ☒ a. Fixed Satellite
- ☐ b. Mobile Satellite
- ☐ c. Radiodetermination Satellite
- ☐ d. Earth Exploration Satellite
- ☐ e. Direct to Home Fixed Satellite
- ☐ f. Digital Audio Radio Service
- ☐ g. Other (please specify)

21. STATUS: Choose the button next to the applicable status. Choose only one.

☒ Common Carrier ☐ Non-Common Carrier

22. If earth station applicant, check all that apply.

- ☐ Using U.S. licensed satellites
- ☐ Using Non-U.S. licensed satellites

23. If applicant is providing INTERNATIONAL COMMON CARRIER service, see instructions regarding Sec. 214 filings. Choose one. Are these facilities:

☒ Connected to a Public Switched Network ☐ Not connected to a Public Switched Network ☒ N/A

24. FREQUENCY BAND(S): Place an 'X' in the box(es) next to all applicable frequency band(s).

- ☒ a. C-Band (4/6 GHz)
- ☒ b. Ku-Band (12/14 GHz)
- ☐ c. Other (Please specify upper and lower frequencies in MHz.)

Frequency Lower: Frequency Upper: (Please specify additional frequencies in an attachment)

TYPE OF STATION

25. CLASS OF STATION: Choose the button next to the class of station that applies. Choose only one.

- ☒ a. Fixed Earth Station
- ☐ b. Temporary-Fixed Earth Station
- ☐ c. 12/14 GHz VSAT Network
- ☐ d. Mobile Earth Station
- ☒ e. Geostationary Space Station
- ☐ f. Non-Geostationary Space Station
- ☐ g. Other (please specify)

26. TYPE OF EARTH STATION FACILITY:

- ☐ Transmit/Receive
- ☒ Transmit-Only
- ☐ Receive-Only
- ☒ N/A

"For Space Station applications, select N/A."

PURPOSE OF MODIFICATION

27. The purpose of this proposed modification is to: (Place an 'X' in the box(es) next to all that apply.)

- ☐ a --- authorization to add new emission designator and related service
- ☐ b --- authorization to change emission designator and related service
- ☐ c --- authorization to increase EIRP and EIRP density
- ☐ d --- authorization to replace antenna
- ☐ e --- authorization to add antenna
- ☐ f --- authorization to relocate fixed station
- ☐ g --- authorization to change frequency(ies)
- ☐ h --- authorization to add frequency
- ☐ i --- authorization to add Points of Communication (satellites & countries)
- ☐ j --- authorization to change Points of Communication (satellites & countries)
- ☐ k --- authorization for facilities for which environmental assessment and radiation hazard reporting is required
- ☒ l --- authorization to change orbit location
- ☐ m --- authorization to perform fleet management
- ☐ n --- authorization to extend milestones
- ☐ o --- Other (Please specify)

ENVIRONMENTAL POLICY

28. Would a Commission grant of any proposal in this application or amendment have a significant environmental impact as defined by 47 CFR 1.1307? If YES, submit the statement as required by Sections 1.1308 and 1.1311 of the Commission's rules, 47 C.F.R. 1.1308 and 1.1311, as an exhibit to this application. A Radiation Hazard Study must accompany all applications for new transmitting facilities, major modifications, or major amendments.	☒ Yes ☐ No
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ALIEN OWNERSHIP Earth station applicants not proposing to provide broadcast, common carrier, aeronautical en route or aeronautical fixed radio station services are not required to respond to Items 30–34.

29. Is the applicant a foreign government or the representative of any foreign government?	☐ Yes ☒ No
30. Is the applicant an alien or the representative of an alien?	☐ Yes ☒ No ☐ N/A
31. Is the applicant a corporation organized under the laws of any foreign government?	☐ Yes ☒ No ☐ N/A
32. Is the applicant a corporation of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?	☐ Yes ☒ No ☐ N/A

33. Is the applicant a corporation directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned or voted by aliens, their representatives, or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?	☒ Yes ☐ No ☐ N/A
34. If any answer to questions 29, 30, 31, 32 and/or 33 is Yes, attach as an exhibit an identification of the aliens or foreign entities, their nationality, their relationship to the applicant, and the percentage of stock they own or vote.	

BASIC QUALIFICATIONS

35. Does the Applicant request any waivers or exemptions from any of the Commission's Rules? If Yes, attach as an exhibit, copies of the requests for waivers or exceptions with supporting documents.	☒ Yes ☐ No	Engineering Statement
36. Has the applicant or any party to this application or amendment had any FCC station authorization or license revoked or had any application for an initial, modification or renewal of FCC station authorization, license, or construction permit denied by the Commission? If Yes, attach as an exhibit, an explanation of circumstances.	☒ Yes ☐ No	

37. Has the applicant, or any party to this application or amendment, or any party directly or indirectly controlling the applicant ever been convicted of a felony by any state or federal court? If Yes, attach as an exhibit, an explanation of circumstances.	Yes ☐ No ☒
38. Has any court finally adjudged the applicant, or any person directly or indirectly controlling the applicant, guilty of unlawfully monopolizing or attempting unlawfully to monopolize radio communication, directly or indirectly, through control of manufacture or sale of radio apparatus, exclusive traffic arrangement or any other means or unfair methods of competition? If Yes, attach as an exhibit, an explanation of circumstances	Yes ☐ No ☒
39. Is the applicant, or any person directly or indirectly controlling the applicant, currently a party in any pending matter referred to in the preceding two items? If yes, attach as an exhibit, an explanation of the circumstances.	Yes ☐ No ☒
40. If the applicant is a corporation and is applying for a space station license, attach as an exhibit the names, address, and citizenship of those stockholders owning a record and/or voting 10 percent or more of the Filer's voting stock and the percentages so held. In the case of fiduciary control, indicate the beneficiary(ies) or class of beneficiaries. Also list the names and addresses of the officers and directors of the Filer.	

41. By checking Yes, the undersigned certifies, that neither applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance. See 47 CFR 1.2002(b) for the meaning of "party to the application"; for these purposes.	Yes ☒ No ☐
42a. Does the applicant intend to use a non-U.S. licensed satellite to provide service in the United States? If Yes, answer 42b and attach an exhibit providing the information specified in 47 C.F.R. 25.137, as appropriate. If No, proceed to question 43.	Yes ☐ No ☒
42b. What administration has licensed or is in the process of licensing the space station? If no license will be issued, what administration has coordinated or is in the process of coordinating the space station?	
43. Description. (Summarize the nature of the application and the services to be provided). (If the complete description does not appear in this box, please go to the end of the form to view it in its entirety.) Intelsat License LLC (f/k/a Intelsat North America LLC), pursuant to Section 25.117 of the rules of the Federal Communications Commission, hereby seeks to modify the authorization for the Intelsat 709 (S2396) satellite. Specifically, this modification seeks permanent authority to relocate Intelsat 709 to, and to operate the satellite at, 72.10 E.L. in Narrative & Exhibits	

43a. Geographic Service Rule Certification

By selecting A, the undersigned certifies that the applicant is not subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25.

☒ A

By selecting B, the undersigned certifies that the applicant is subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25 and will comply with such requirements.

☐ B

By selecting C, the undersigned certifies that the applicant is subject to the geographic service or geographic coverage requirements specified in 47 C.F.R. Part 25 and will not comply with such requirements because it is not feasible as a technical matter to do so, or that, while technically feasible, such services would require so many compromises in satellite design and operation as to make it economically unreasonable. A narrative description and technical analysis demonstrating this claim are attached.

☐ C

Additional GXT Files

CERTIFICATION

The Applicant waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. The applicant certifies that grant of this application would not cause the applicant to be in violation of the spectrum aggregation limit in 47 CFR Part 20. All statements made in exhibits are a material part hereof and are incorporated herein as if set out in full in this application. The undersigned, individually and for the applicant, hereby certifies that all statements made in this application and in all attached exhibits are true, complete and correct to the best of his or her knowledge and belief, and are made in good faith.

44. Applicant is a (an): (Choose the button next to applicable response.)

- ☐ Individual
☐ Unincorporated Association
☐ Partnership
☐ Corporation
☐ Governmental Entity
☒ Other (please specify)

45. Name of Person Signing
Susan H. Crandall

46. Title of Person Signing
Asst. Gen. Counsel, Intelsat Corporation

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND / OR IMPRISONMENT
(U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION AUTHORIZATION
(U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).

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THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.

43. Description. (Summarize the nature of the application and the services to be provided).

Intelsat License LLC (f/k/a Intelsat North America LLC), pursuant to Section 25.117 of the rules of the Federal Communications Commission, hereby seeks to modify the authorization for the Intelsat 709 (S2396) satellite. Specifically, this modification seeks permanent authority to relocate Intelsat 709 to, and to operate the satellite at, 72.10 E.L. in order to provide station-kept service continuity at that location.